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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/431,833

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JOSEPH PHILLIP BIGUS

IBM/02B

9272

26517 7590 03/01/2010
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EXAMINER

FISCHER, ANDREW J

ART UNIT

PAPER NUMBER

3621

MAIL DATE

DELIVERY MODE

03/01/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: JOSEPH PHILLIP BIGUS, BRIAN JOHN CRAGUN and
HELEN ROXLO DELP

Application No. 09/431,833
Technology Center 3600

Mailed: February 26, 2010

Before DEBORAH L. PERRY *Supervisory Paralegal Specialist, Review Team.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on January 25, 2010. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

AMENDMENT AFTER FINAL

A review of the file indicates that on February 16, 2009, Appellant filed an Amendment After Final. It is not clear whether this Amendment has been considered because an Advisory Action has not been mailed or because box 7 of an Advisory Action fails to indicate whether or not the proposed amendment will or will not be entered for purposes of appeal.

Clarification from the Examiner is required.

CONCLUSION

Accordingly, it is ORDERED that the application be returned to the Examiner:

- 1) appropriately respond to the Amendment After Final dated February 16, 2009; and
- 4) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DP/dw

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